IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4356 OF 2005

In

First Appeal No.227 of 2002

1. Ruia Park Co Op. Hsg Scy Ltd.
and Ors. .. Applicants

V/s

1. Juhu Properties Ltd. and Ors..Respondents

Shri D.R.Shah for Applicants

CORAM:S.R.SATHE,J.

DATED:18th Jan. 2006

P.C.:-

. Heard the learned Advocate for the applicants.

. Respondents' Advocates absent when called out.

. Perused the papers.

. From the affidavit in reply and more particularly from para 6 of the affidavit, it appears that the Respondents have no objection for the applicant to carry out the repairs of the road in front of "in" and "out"

gate, of property bearing Survey NO.47, Juhu Bombay and if they desire to fill in the pot holes and make the said road motorable provided the independent access to the Bungalow of the Respondent no.1 is not blocked. So on above terms applicants are allowed to carry out the repairs of the road.

. C.A. disposed of in the above terms.

(S.R.SATHE,J.)